

AMENDMENTS TO THE DRAWINGS

Applicants are submitting corrected drawings which remove the shading and clarify the labeling of item number 69.

Attachment: Replacement Sheets

REMARKS

Claims 1-40 are all the claims pending in the application.

Claims 6, 17, 20-22 and 35 have been withdrawn as the result of an election requirement.

Claims 1-5, 7-16, 23-34 and 36-40 have been amended to further clarify the claimed invention and to better conform them to U.S. patent practice. Support for the amendments to claim 1 made may be found for example at page 6, lines 22-32; page 7, lines 1-4; page 15, line 32; page 16, lines 1-2 and 17-20; page 18, lines 12-18 and figures 1-3 of the application as originally filed.

New Claim 41 has been added to provide additional claim coverage.

OBJECTIONS TO THE SPECIFICATION

Applicant has amended the specification to address the informalities identified by the Examiner. Therefore, the Examiner is requested to withdraw the objections.

OBJECTIONS TO THE DRAWINGS

Applicant has submitted corrected drawings which remove the shading.

Regarding item 69 in figures 2, 3 and 4, the labeling lines have been amended to accurately reflect that they are pointing to the transversal groove. Regarding item numbers 60 and 59 in figure 6, they are properly pointing to the spring-guiding stem 60, which extends from the pushing element 59. Therefore, the Examiner is requested to withdraw the objections to the drawings.

CLAIM OBJECTIONS

Applicant has amended claim 14 to address an improper multiple dependency. However, claims 15, 16, 31, 32 and 37-40 do not appear to contain improper multiple dependencies. Therefore, the Examiner is requested to withdraw the objections.

Applicant has also amended the claims to address the other informalities identified by the Examiner.

35 U.S.C. § 112 REJECTIONS

The Examiner has rejected claims 7, 19 and 24 under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. Applicant has amended these claims to further clarify them and added new claim 41. Therefore, the Examiner is requested to withdraw the objections.

35 U.S.C. § 102 REJECTIONS

The Examiner has rejected claims 1-4, 7-13, 24, 25 and 36 under 35 U.S.C. § 102(b) as being anticipated by CH 364711. Applicant traverses these rejections because '711 fails to disclose or suggest all of the limitations of the claims as amended. Specifically, '711 fails to disclose or suggest at least the following limitations of claim 1:

wherein in said closing position of the panel the second pivoting axis is interposed between the panel and the first pivoting axis; and

wherein the direction of thrust of the balancing device during operation is never below said dead center plane.

As a matter of fact and by using for the sake of clarity the reference numbers used in the drawing figures of '711, it may be immediately appreciated that this reference fails to disclose a hinge assembly wherein in the closing position of the panel (3) the pivoting axis (defined by an inner edge of hole 9 in Fig. 1 or by notch 21 in Fig. 2) of the balancing device (20) is interposed

between the panel (3) and the pivoting axis (5, 16) of the lifting lever (1, 15), and the direction of thrust (defined by the axis of the spring 12 or 23) of the balancing device (20) is in operation never below the dead center plane defined by the kinematic mechanism of the hinge.

Regarding the first of these claim limitations, '711 discloses a hinge assembly in which in the closing position of the panel (3) the pivoting axis (defined by an inner edge of hole 9 in Fig. 1 or by notch 21 in Fig. 2) of the balancing device (20) is never interposed between the panel (3) and the pivoting axis (5, 16) of the lifting lever (1, 15). In sharp contrast, '711 discloses a hinge assembly having an opposite structure in which it is the pivoting axis (5, 16) of the lifting lever (1, 15) which is interposed between the panel (3) and the pivoting axis of the balancing device (20).

Regarding the second of these limitations, '711 discloses a hinge assembly in which the direction of thrust (defined by the axis of the spring 12 or 23) of the balancing device (20) always crosses in operation the dead center plane defined by an imaginary line defined by the pivoting axis (at 21) of the balancing device (20) and by the pivoting axis (5, 16) of the lifting lever (1, 15) as well illustrated by Figs. 1 and 2.

For at least these reasons, Applicant requests that the rejections based on '711 be withdrawn.

The Examiner has rejected claims 1, 25-30, 33 and 34 under 35 U.S.C. § 102(b) as being anticipated by Turner (U.S. Patent No. 2,743,476). Applicant traverses these rejections because Turner fails to disclose or suggest all of the limitations of the claims as amended. Specifically, Turner fails to disclose or suggest at least the following limitations of claim 1:

a lifting lever operatively connected to the panel and directly hinged to the supporting base about a first pivoting axis between said closing and opening positions of the panel;

a balancing device hinged to the supporting base about a second pivoting axis and acting on the lifting lever along a direction of thrust defined by a line joining the second pivoting axis and a point of application of the thrust on the lifting lever to at least partially counterbalance the weight of the panel during rotation of the lever about said first pivoting axis;

For example, Turner fails to disclose a hinge assembly wherein the lifting lever (34) of the panel (10, 11) is directly hinged to the supporting base (12) about a first pivoting axis between the closing and opening positions of the panel (10, 11). The absence of this feature leads to great differences both from the structural and from the functional point of view as discussed below.

In order to operate the lifting lever (34), the hinge assembly disclosed by Turner requires a kinematic mechanism of the articulated quadrilateral type which has four kinematic pivoting axes respectively defined by: pivot pin (22), pivot pin (35), pivot pin (39) and pivot pin or rivet (43) (col. 3, lines 24-51 and Figs. 2 and 4). Within this kinematic mechanism, the lifting lever (34) is thus hinged to a control arm (41) which is in turn pivotally mounted at the pivot pin or rivet (43) on the supporting base (12).

In sharp contrast, the hinge assembly of the claimed invention has a kinematic mechanism which requires rotating the lever (7) in just one kinematic pivoting axis, which is the first pivoting axis (P1-P1) of the lifting lever (7) directly hinged to the supporting base (6).

In other words, the first pivoting axis (P1-P1) is the only pivoting axis kinematically necessary to move the lever (7) so as to lift the panel (2) either in the presence or in the absence of the balancing device (10).

For at least these reasons, Applicant requests that the rejections based on Turner be withdrawn.

The Examiner has rejected claims 5, 18 and 19 under 35 U.S.C. § 103(a) as being unpatentable over '711 and/or Kimura (U.S. Patent No. 4,365,893). Applicant traverses these rejections because the cited prior art fails to disclose or suggest all of the limitations of the claims as amended. More particularly, these claims should be allowable at least based on their dependence from claim 1 for the reasons described above. In addition, Kimura fails to make up for the deficiencies of '711.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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